

SF-83 SUPPORTING STATEMENT ENVIRONMENTAL PROTECTION AGENCY

National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelters

1. Identification of the Information Collection

1(a) Title of the Information Collection

National Emission Standard for Hazardous Air Pollutants (NESHAP) for Primary Lead Smelters

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Primary Lead Smelters, published at 40 CFR Part 63, Subpart TTT, were proposed on April 17, 1998 (63 FR 19200), and promulgated on June 4, 1999 (64 FR 30204). On February 12, 1999, the Agency publicized a supplemental rulemaking for ferroalloys, mineral wool, primary copper, primary lead and wool fiberglass. The supplemental for this rule enhances the requirements of the bag leak detection systems in 40 CFR 63.1625 and 40 CFR 63.1655 of the proposed rule to include an enforceable operating limit. This rule applies to emissions sources (i.e., sinter machine, blast furnace, dross furnace, process fugitive, and fugitive dust sources) from primary lead smelters.

In addition to the records required by 40 CFR Part 63, Subpart A (General Provisions), all sources subject to this standard are required to submit: an initial report specifying the intended methods of compliance; a site-specific test plan prior to a performance test; a standard operating procedure (SOP) manual; a performance test report for lead compounds; and a semiannual report that includes all monitoring results and a summary of any baghouse leak detection system alarms including a description of the corrective actions taken. Respondents must also submit reports, when applicable, regarding startup, shutdown, malfunctions, process changes, and construction or reconstruction. Any owner or operator subject to the provisions of this part shall maintain records of production for unrefined lead, copper matte, and copper speiss; the date and times of bag leak detector system alarms and the corrective action taken; baghouse inspection and maintenance; and any records required as part of the source SOP manual and the compliance methods chosen. Records shall be maintained for a period of 5 years following the date of such measurements, maintenance reports, and records. Records of the most recent 2 years of operation must be maintained on site. All reports are sent to the delegated State or Local authority. In the event that there is no such delegated authority, the reports are sent directly to the EPA Regional Office. These notifications, reports, and records are essential in determining compliance, and are required of all sources subject to NESHAP.

Approximately two sources are currently subject to the regulation. Based on consultation with industry and the Office of Air Quality Planning and Standards (OAQPS), we have

determined that one existing source closed operations over the period of the active Information Collection Request (ICR), and no new sources will become subject to the regulation in the next three years.

In the development of this ICR we addressed the Office of Management and Budget “Terms of Clearance” on the active ICR. Specifically, we revised the current number of sources affected by the rule and revised the assumptions that were made on the active ICR. We have also accounted for the amortization of capital costs beyond the three year period for which the active ICR was approved.

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under Section 112 of the Clean Air Act, as Amended, to establish standards of performance for each category or subcategory of major sources and area sources of hazardous air pollutants. These standards are applicable to new or existing sources of hazardous air pollutants and shall require the maximum degree of emission reduction. In addition, Section 114(a) states that the Administrator may require any owner or operator subject to any requirement of this Act to:

(A) Establish and maintain such records; (B) make such reports; (C) install, use, and maintain such monitoring equipment, and use such audit procedures, or methods; (D) sample such emissions (in accordance with such procedures or methods, at such locations, at such intervals, during such periods, and in such manner as the Administrator shall prescribe); (E) keep records on control equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical; (F) submit compliance certifications in accordance with Section 114(a)(3); and (G) provide such other information as the Administrator may reasonably require.

In the Administrator's judgment, lead compounds, and other metal hazardous air pollutants (HAP) including arsenic, antimony, and cadmium emissions from sinter machine, blast furnace, dross furnace, process fugitive, and fugitive dust sources, cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, NESHAP standards were promulgated for this source category at 40 CFR Part 63, Subpart TTT.

2(b) Practical Utility/Users of the Data

The control of emissions of lead compounds, and other metal hazardous air pollutants (HAP) including arsenic, antimony, and cadmium from the affected facilities

requires not only the installation of properly designed equipment, but also the operation and maintenance of that equipment. These emissions are the result of operation of the following sources: sinter machine; blast furnace; dross furnace; process fugitive sources including dross furnace charging location, blast furnace and dross furnace tapping location, sinter machine charging location, sinter machine discharge end, sinter crushing and sizing equipment; sinter machine area; and fugitive dust sources. The subject standards are achieved by the capture and reduction of lead compounds, and other metal hazardous air pollutants (HAPs) including arsenic, antimony, and cadmium emissions using buildings that ventilate to baghouses or equivalent control devices; ventilated enclosures to further reduce process fugitive emissions; and the establishment of operating procedures for baghouses and fugitive emissions control (e.g., fugitive dust sources are typically controlled by reducing the potential for entrainment through measures such as wetting, pavement cleaning, use of chemical stabilizers, and protection from wind). The notifications required in the applicable regulations are used to inform the Agency or delegated authority when a source becomes subject to the requirements of the regulations. The reviewing authority may then inspect the source to check if the pollution control devices are properly installed and operated and the regulations are being met. Performance test reports are needed as these are the Agency's record of a source's initial capability to comply with the emission standards, and serve as a record of the operating conditions under which compliance was achieved. The semiannual reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations. The information generated by the monitoring, recordkeeping and reporting requirements described in this ICR is used by the Agency to ensure that facilities affected by the NESHAP continue to operate the control equipment and achieve compliance with the regulation. Adequate monitoring, recordkeeping, and reporting is necessary to ensure compliance with the applicable regulations, as required by the Clean Air Act. The information collected from recordkeeping and reporting requirements is also used for targeting inspections, and is of sufficient quality to be used as evidence in court.

3(a) Nonduplication

If the subject standards have not been delegated, the information is sent directly to the appropriate EPA Regional Office. Otherwise, the information is sent directly to the delegated State or local agency. If a State or local agency has adopted their own similar standards to implement the Federal standards, a copy of the report submitted to the State or local agency can be sent to the Administrator in lieu of the report required by the Federal standards. Therefore, no duplication exists.

3(b) Public Notice Required Prior to ICR Submission to OMB

An announcement of a public comment period for the renewal of this ICR was published in the Federal Register on October 29, 2001. No comments were received on the burden published in the Federal Register. However, we contacted the Environmental Manager responsible for the two existing sources to this rule on their capital and operation and maintenance costs which was highlighted by OMB under the "Terms of Clearance."

3(c) Consultations

For this information collection, the originator conducted a query on the Facility Subsystem (AFS) database of the Aerometric Information Retrieval System maintained by the Office of Air Quality, Planning and Standards (OAQPS) and contacted the OAQPS lead staff for this rule, Kevin Cavender. In addition, the originator contacted the Environmental Specialist of the Herculaneum Division and the Glover Division for the Doe Run Company, to discuss capital and operation and maintenance costs. The two industry contacts are listed below.

James M. Lanza fame
The Doe Run Company- Smelting Division
Herculaneum, Missouri
(636) 933-3143

Scott Lamb
The Doe Run Company-Glover Division
Glover, Missouri
(573) 546-2674

3(d) Effects of Less Frequent Collection

Less frequent information collection would decrease the margin of assurance that facilities are continuing to meet the standards. Requirements for information gathering and recordkeeping are useful techniques to ensure that good operation and maintenance practices are applied and emission limitations are met. If the information required by these standards was collected less frequently, the likelihood of detecting poor operation and maintenance of control equipment and noncompliance would decrease.

3(e) General Guidelines

None of these reporting or recordkeeping requirements violate any of the regulations established by the Office of Management and Budget (OMB) at 5 CFR 1320.6.

3(f) Confidentiality

The required information consists of emissions data and other information that have been determined not to be private. However, any information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, Chapter 1, Part 2, Subpart B - Confidentiality of Business Information (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 40000, September 8, 1978; 43 FR 42251, September 20, 1978; 44 FR 17674, March 23, 1979).

3(g) Sensitive Questions

None of the reporting or recordkeeping requirements contain sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents to the recordkeeping and reporting requirements are primary lead smelters. The SIC code for the respondents affected by the standards is SIC (U.S. Standard Industrial Classification) 3339 (Primary Smelting and Refining of Nonferrous Metals) which corresponds to the following NAICS (The North American Industry Classification System) 331419 for Primary Smelting and Refining of Nonferrous Metal (except Copper and Aluminum). Other industries listed in this SIC code are not respondents to this ICR.

4(b) Information Requested

(i) Data Items

All data in this ICR that is recorded and/or reported is required by 40 CFR Part 63, Subpart TTT.

A source must make the following reports:

Reports for 40 CFR Part 63, Subpart TTT	
Construction/reconstruction	63.5, 63.1163(a)
Initial notifications	63.9(b)
Anticipated start-up	63.9(a), 63.1163(a)
Actual start-up	63.9(a), 63.1163(a)
Initial performance test results	63.10(d)(2), 63.1164(a)
Initial performance test	63.7(b), 63.9(e), 63.1163(d)
Rescheduled initial performance test	63.7(b)(2)
Demonstration of continuous monitoring system, if applicable	63.9(g)
Request for an extension of compliance	63.9(c), 63.1163(b)

Reports for 40 CFR Part 63, Subpart TTT	
Notification seeking approval of standard operating procedures manual for baghouses and the standard operating procedures manual for fugitive dust control	63.1548
Compliance status	63.9(h), 63.1163(e)
Physical or operational change	N/A
Opacity or visible emissions	63.10(d)(3)
Semi-annual reports containing (1) records of all alarms from the bag leak detection system including a description of the procedures taken following each bag leak detection system alarm, (2) a summary of the records maintained as part of the practices described in the baghouse SOP; and (3) a summary of the fugitive dust control measures performed during the required reporting period.	63.1164(b), 63.1549(e)
Periodic start-up, shutdown, malfunction reports	63.10(d)(5)(i), 63.1164(c)

A source must maintain the following records:

Recordkeeping for 40 CFR Part 63, Subpart TTT	
Start-ups, shutdowns, malfunctions, periods where the continuous monitoring system is inoperative	63.10(b)(2), 63.1165(a), 63.1549(b)
Emission test results and other data needed to determine emissions	61.13(g), 63.1165(a)(7)
All reports and notifications	63.9, 63.10(b), 63.1165(a)(10)
Record of applicability	63.10(b)(3)
Records for sources with continuous monitoring systems	63.10(3)
Records of bag leak detection system; standard operating procedures manuals for baghouses and fugitive dust control; and specific parameters to demonstrate compliance with the sinter building in-draft standard	63.1165(b), 63.1549(b)
Records are required to be retained for 5 years. The first two years of records must be retained at the facility.	63.1165(a-c), 63.1549(c)

(ii.) Respondent Activities

Respondent Activities
Read instructions.
Owners are required to equip process fugitive sources with a hood that is ventilated to a baghouse or equivalent control device and to enclose the sinter machine area in a building that is ventilated to a baghouse or equivalent control device.
Owners are required to follow the standard operating procedures for baghouses and fugitive dust control.
Perform initial performance test, Reference Methods 1, 2, 3, 4 and 12 test or approved alternative method, and repeat performance tests if necessary.
Write the notifications and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for the purpose of processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for the purpose of disclosing and providing information.
Adjust the existing ways to comply with any previously applicable instructions and requirements.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

There is a trend in the industry toward using computer controlled operating systems that handle much of the data that had traditionally been handled by hand, which has significantly reduced the time needed to record and store data. Some delegated offices are setting up electronic reporting systems to enable facilities to report electronically, which is further reducing labor costs.

5. The Information Collected: Agency Activities, Collection Methodology, and Information Management

5(a) Agency Activities

EPA conducts the following activities in connection with the acquisition, analysis, storage, and distribution of the required information.

Agency Activities
Observe initial performance tests and repeat performance tests if necessary.
Review notifications and reports, including performance test reports, emissions reports, maintenance plan and startup, shutdown and malfunction reports, required to be submitted by industry.
Audit facility records.
Input, analyze, and maintain data in the AIRS (Aerometric Information Retrieval System) Facility Subsystem (AFS) database.

5(b) Collection Methodology and Management

Following notification of start-up or operational changes, the reviewing authority might inspect the source to determine whether the pollution control devices are properly installed and operated. Performance test reports are used by the Agency to discern a source's initial capability to comply with the emission standard. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The semiannual reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

Information contained in the reports is entered into AFS which is operated and maintained by EPA's Office of Air Quality Planning and Standards. AFS is EPA's database for the collection, maintenance, and retrieval of compliance and annual emission inventory data for over 100,000 industrial and government-owned facilities. EPA uses AFS for tracking air pollution compliance and enforcement by Local and State regulatory agencies, EPA Regional Offices and EPA Headquarters. EPA and its delegated Authorities can edit, store, retrieve and analyze the data.

The records required by this regulation must be retained by the owner or operator for five years. This is consistent with the General Provisions as applied to the standards. EPA believes that the five year records retention requirement is consistent the Part 70 permit program and the five year statute of limitations on which the permit program is based. Also, the retention of records for five years would allow EPA to establish the compliance history of a source and any pattern of compliance for purposes of determining the appropriate level of enforcement action.

5(c) Small Entity Flexibility

The Small Business Administration (SBA) defines a small business for SIC 3341 as any company with 500 or fewer employees. Neither of the two companies in this industry meet the small business criterion.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown in Table 1: Annual Respondent Burden. Existing sources have 2 years from the date of publication to achieve compliance with the standard. Therefore, the compliance date for this rule is June 4, 2002.

6. Estimating the Burden and Cost of the Collection

Table 1 documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to the industry for the Subpart included in this ICR. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory.

The Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

6(a) Estimating Respondent Burden

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated to be 12,246 (Total Labor Hours from Table 1). This estimate is based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the NESHAP program, the previously approved ICR, consultation with industry and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates: \$78.54 per hour for Executive, Administrative, and Managerial labor; \$55.34 per hour for Technical labor, and \$35.64 per hour for Clerical labor. These rates are from the United States Department of Labor, Bureau of Labor Statistics, March 2000, "Table 10. Private industry, by occupational and industry group." The rates are from column 1, "Total compensation." The wage rates have been increased by 110% to account for the benefit packages available to those employed by private industry.

Managerial	\$78.54	(\$37.40 + 110%)
Technical	\$55.34	(\$26.35 + 110%)
Clerical	\$35.64	(\$16.97 + 110%)

(ii) Estimating Capital/Startup and Operation and Maintenance Costs

The types of industry costs associated with the information collection activity in the regulations are labor, continuous operation of baghouses and continuous emission monitors (CEMs). The capital/startup costs are one-time costs when a facility becomes subject to the regulation. The annual operation and maintenance costs are the ongoing costs to maintain the baghouses, monitors and other costs such as photocopying and postage.

(iii) Capital/Startup vs. Operation and Maintenance (O&M) Costs

This estimate includes the cost of equipment, parts, energy consumption and contracted maintenance labor.

Capital/Startup vs. Operation and Maintenance (O&M) Costs					
(A) Continuous Monitoring Device	(B) Startup Cost (\$) for One Affected Facility *	(C) Number of Affected Facilities with Startup Costs*	(D) Total* Capital/ Startup Costs (B X C)	(E) Total Annual O&M Costs (\$) for the Two Affected Facilities **	(F) Total Annualized Costs (D + E)
Flowmeters with high/low alarms	0	0	0	\$212 (106 x 2)	\$212
Baghouses	4,000,000	1	4,000,000	\$ 2,451,666 (\$1,476,666 + \$975,00)	\$6,451,666
Total			\$4,000,000	\$2,451,878	\$6,451,878

* There are two existing sources. One of the existing sources is currently in the process of completing the installation of 3 baghouses and associated ductwork, new building enclosures and new material handling equipment, which has not been accounted for on the active ICR, for a total cost of about 12 million dollars. The other existing source will not be installing any new equipment.

** Cost of operation and maintenance of baghouses is based on a total of 19 baghouses. The major expenses on baghouses are associated with the replacement of bags and electricity to run them. The annual cost of electricity for the two sources are significant different due to one source having double the number of baghouses (i.e., one source has 6 baghouses and the other source has 13 baghouses) and the variation of baghouses size being operated by each source. Other miscellaneous costs are associated with contractor support, repairs and other miscellaneous items.

The total annual capital/startup costs for this ICR are \$4,000,000. This is the total of column D in the above table. These costs are shown in block 14(a), Total annualized capital/startup costs, on the OMB 83-I form. It should be noted that the numbers in block 14 of

the OMB 83-I form show the cost in thousands of dollars.

The total operation and maintenance (O&M) costs for this ICR are \$2,451,878. This is the total of column E. These costs are shown in block 14(b), Total annual costs (O&M), on the OMB 83-I form.

The total respondent non-labor costs in block 14 have been calculated as the addition of the capital/startup costs, and the annual operation and maintenance costs. The average annual cost for capital/startup and operation and maintenance to industry over the next three years of the ICR is estimated to be \$6,451,878. This is the total of column F. This cost is shown on the OMB 83-I form in block 14 (c), total annualized cost requested. The numbers in block 14 of the OMB 83-I form show the cost in thousands of dollars.

6(c) Estimating Agency Burden and Cost

The costs to the Agency are those costs associated with analysis of the reported information. Publication and distribution of the information are part of the AFS program. Examination of records to be maintained by the respondents will occur as part of the periodic inspection of sources, which is part of EPA's overall compliance and enforcement program. We assumed that the Agency will be attending one stack test at each source during the 3 years of this ICR.

The average annual Agency cost during the 3 years of the ICR is estimated to be \$4,610.45 [Total Cost from Table 2 attached]. This cost is based on the average hourly labor rates specified by the Office of Personnel Management "2002 General Schedule" (excludes locality rates of pay) for the managerial, technical and clerical categories times a 1.6 benefits multiplication factor to account for government overhead expenses as described below:

Managerial	\$51.62	(GS-13, Step 5, \$32.26 x 1.6)
Technical	\$38.30	(GS-12, Step 1, \$23.94 x 1.6)
Clerical	\$20.72	(GS-6, Step 3, \$12.95 x 1.6)

Details upon which this estimate is based appear in Table 1, below.

6(d) Estimating the Respondent Universe and Total Burden and Costs

Respondent Universe					
Regulation Citation	(A) Number of New Sources per Year	(B) Number of Initial Reports for New Sources	(C) Number of Existing Sources	(D) Number of Reports for Existing Sources	(E) Total Annual Responses (AxB)+(CxD)
40 CFR Part 63, Subpart TTT	0	0	2	2	4

The number of total respondents is 2. This number is the sum of Column A and Column C of the **Respondent Universe** table. This represents the number of existing sources plus the number of new sources averaged over the three-year period. It is shown in block 13 (a), Number of respondents, on the OMB 83-I form.

The number of total annual responses is 4. This is the number in column E of the **Respondent Universe** table. It is shown in block 13 (b), Total annual responses, on the OMB 83-I form. The total annual labor costs are \$669,100. This number is not shown on the OMB 83-I form in block 13(c), Total hours requested. Only the burden hours are reflected in block 13(c). Details upon which this estimate is based appear in Table 1, Annual Respondent Burden and Cost.

The total annual capital and O&M costs to the regulated entity are \$6,451,878. This number is shown on the OMB 83-I form in block 14 (c), Total annualized cost requested. These costs are detailed in section 6(b)(iii), Capital/Startup vs. Operating and Maintenance (O&M) Costs.

6(e) Bottom Line Burden Hours Burden Hours And Cost Tables

The bottom line burden hours and cost tables for both the Agency and the respondents are attached.

6(f) Reasons for Change in Burden

The increase in burden from the most recently approved ICR is due to an adjustment. The adjustment is caused by better estimates of the burden associated with the monitoring requirements for baghouses. This ICR also assumes that both sources are already complying with the requirements of this rule since the compliance date has almost expired, and therefore, the burden is not phased-in by year as was done in the active ICR. In addition, the annual capital/startup costs and operation and maintenance costs for this ICR have significantly increased due to one source purchasing new baghouses and better estimates of the operation and maintenance costs associated with baghouses (e.g., cost of electricity and replacement of bags). During the development of this ICR, we contacted industry representatives (see Consultation Section) to confirm these burden estimates associated with the implementation of the NESHAP for Primary Lead Smelters. Because the values obtained from industry are a projection over the next 3 years, they are considered estimates only.

6(g) Burden Statement

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or

sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number. The OMB control numbers for EPA's standards are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Ms. Susan Auby, Collection Strategies Division (Mail Code 2822T), Office of Environmental Information, United States Environmental Protection Agency, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460-0001; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, N.W., Washington, D.C. 20503, Attention: Desk Officer for EPA. Include the EPA ICR Number 1856.03 and the OMB Control Number 2060-0414 in any correspondence.

Part B of the Supporting Statement

This part is not applicable because no statistical methods were used in collecting this information.